REMARKS

Claims 1, 3, 4 and 8-22 are now pending in the present application. Claims 1 and 8 have been amended, and claim 22 has been added. Claims 1, 10, 13 and 18 are independent. No new matter is involved. Reconsideration of this application, as amended, is respectfully requested.

Information Disclosure Statement

Applicants acknowledge receipt of the initialed copy of the PTO-1449 filed on, and bearing the USPTO Mail Room Stamp dated, January 9, 2004.

Election of Species Requirement

The outstanding Office Action withdraws claims 10-18 from further consideration, pursuant to 37 CFR 1.42(b), noting that claim 12 has been grouped with the non-elected claims because claim 8 recites a feature shown in non-elected Fig. 4.

Applicants respectfully traverse this new election of species action, it being raised for the first time in the second Office Action after all of the claims had been examined on the merits in the first Office Action. Additionally, Applicants indicated in the Amendment filed April 8, 2004 that claim 12 is directed to the elected species of Fig. 1.

Applicants submit that any claim, including claim 12, that depends from claim 1 has to be examined with the elected species. The attention of the Examiner is directed to MPEP § 806.04(f) which points out that claims to be restricted to species must be mutually exclusive, i.e., for claims to be properly restricted to different species, those claims must recite the mutually exclusive characteristics of such species. Because claim 12 depends from claim 1, which is directed to elected species 1, and claim 12 recites all the of the features of claim 1, then claim 12 recites features of the elected species in addition to a feature of another species. Accordingly, claims 1 and 12 are not mutually exclusive and must be examined together.

Similar comments apply to claims 11 and 12, which depend from claims 9 and 1, respectively. Claims 1 and 11 and claims 1 and 12 are not mutually exclusive and, because of MPEP § 806.04(f), claims 11 and 12 must be examined along with claims 1, 3, 4, 8 and 9.

Moreover, because claims 13-16, which were already examined on their merits and indicated to contain allowable subject matter (see page 4, paragraph No. 8 of the October 10, 2003 Office Action), Applicants respectfully submit that consideration and treatment on the merits of claims 13-16 (claim 13 having been rewritten in independent form) is proper under MPEP § 803 which indicates that even if restriction is proper, claims directed to independent and distinct inventions

must be examined in one Application is there is no undue search burden. Because these claims have already been examined and found to contain allowable subject matter, and claims 13 has been re-written in independent form (from which claims 14-16 depend), there is no undue search burden for claims 13-16 and those claims should be examined on their merits and allowed.

Accordingly, Applicants respectfully ask that either a supplemental Office Action be prepared treating claims 11 –16 on their merits, or that claims 11-16 be treated on their merits in the next (non-final) Office Action.

Rejections Under 35 U.S.C. §§ 102

Claims 1, 3, 4, 8 and 19-21 stand rejected under 35 U.S.C. § 102(b) as being clearly anticipated by either UK 2,215,826, or Japan 11-347296, or U.S. Patent 5,146,693 to Dotter et al. (hereinafter, "Dotter"), of "Muller." Claims 1, 3 and 19-21 stand rejected under 35 U.S.C. § 102(e) as being clearly being anticipated by U.S. patent No. 6,282,928 to Fukumoto et al.(hereinafter, "Fukumoto"). These rejections are respectfully traversed.

Initially, Applicants respectfully request that the Examiner decide the best reference to apply in the rejection of the claims and apply the best reference instead of applying four separate references. MPEP § 706.02 clearly states that prior art rejections should ordinarily be confined strictly to the best art available.

Three exceptions are listed, none of which appears to be applicable to the instant rejection of claims 1, 3, 4, 8 and 19-21 under 35 U.S.C. § 102(b) over four separate references, each of which is applied separately.

Applicants also note that there are two different Muller references of record. Because the rejection does not specify which Muller references is relied on, Applicants address both cited Muller references in traversing the outstanding rejections.

Applicants respectfully submit that claim 1, as amended, clearly distinguishes over all four cited and applied references in this rejection of claims 1, 3, 4, 8 and 19-21. As amended, claim 1 recites a combination of features, including a water supplying duct for supplying external water to the inside of an inner wall of the at least one circulation duct to flow down the inner wall and come in contact with air received in the duct to dehumidify the air in the at least one circulation duct.

Because claims 3, 4, 8 and 19-21 depend from claim 1, they also recite this combination of features.

UK 2,215,826 uses a water spray nozzle to spray cooling water into the air to form a condensation curtain to dry the air in the condensation duct.

JP 11-347296's English language Abstract does not discuss details of the water feed in the disclosed heat exchanger to the level of what is claimed.

Dottor discloses cooling the air by providing cold water to the annular space between the walls of the tube 21 and only comes in contact with the hot air with water vapor that is circulating upward in tube 6 by being finely sprayed over the hot, humid air.

Muller '339 discloses supplying cooling water to a nozzle 22 to produce a spray or mist in turbulator portion 20.

Muller '003's recirculating duct does not provide cold water therein that is in direct contact with the hot humid air, for example.

Accordingly, claims 1, 3, 4, 8 and 19-21 are not anticipated by any of the four applied references.

Reconsideration and withdrawal of this rejection of claims 1, 3, 4, 8 and 19-21 is respectfully requested.

Claims 1, 3 and 19-21 stand rejected under 35 U.S.C. § 102(e) as being clearly being anticipated by U.S. patent No. 6,282,928 to Fukumoto et al.(hereinafter, "Fukumoto"). This rejection is respectfully traversed.

Air in Fukumoto's circulation channel appears to be cooled by outside air, not by water. Referring to FIG. 1 of the Fukumoto et al. '928 reference, a water discharge-switching valve 30 is illustrated as being located along the air flow path in the heat exchanger 31. However, this water discharge-switching valve 30 does

not supply external water to the heat exchanger 31, it only opens the passageway to the heat exchanger 31 when the washer-dryer is in the drying condition. Referring to column 4, lines 43-49 of Fukumoto et al. '928, the water discharge-switching valve 30 is disclosed as being closed during the washing process and opened at the spin-drying process. In view of this, no external water enters through the water discharge-switching valve 30. The water discharge-switching valve 30 is only provided to open the passageway to the heat exchanger 31 in order to allow for drainage of water within the outer tub 14 after a washing operation so that the water can drain out of the drain hole 33.

Accordingly, Fukumoto fails to disclose the claimed combination of features including, for example, "a water supplying duct for supplying external water to the inside of an inner wall of the at least one circulation duct to flow down the inner wall directly in contact with the air in the at least one circulation duct to dehumidify the air in the at least one circulation duct."

Reconsideration and withdrawal of this rejection of claims 1, 3 and 19-21 is respectfully requested.

Rejections under 35 U.S.C. § 103

Claim 8 stands rejected under 35 U.S.C. § 103(a) being unpatentable over either UK '286 or Japan '296, or Muller or Fukumoto in view of either Dottor or Japan 2000-282857. This rejection is respectfully traversed.

Claim 8 depends from claim 1 and is patentable over any of the applied four base references at least for the reasons stated above. Neither Dottor nor Japan 2000-282857 is applied to provide the features missing from any of the four applied base references. So, even if it were proper to modify any of the base references in view of Dottor or Japan 2000-282857, as suggested, the resulting reference combination would not meet or render obvious the claimed invention. Accordingly, claim 8 is patentable over the applied references.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over UK '286 or Japan '296 or Muller or Fukumoto in view of UK 2,075,559. This rejection is respectfully traversed.

Claim 9 depends from claim 1 and is patentable over any of the applied four base references at least for the reasons stated above. UK 2,075,559 is not applied to provide the features missing from any of the four applied base references. So, even if it were proper to modify any of the base references in view of UK 2,075,559, as suggested, the resulting reference combination would not meet or render

obvious the claimed invention. Accordingly, claim 9 is patentable over the applied references.

In view of the above amendments and remarks, Applicants respectfully submit that claims 1, 3, 4, 8, 9 and 19-21 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the Examiner's rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

Additionally, claims 11 and 12, which depend from claim 1, are allowable over the applied art at least because of the reasons that claim 1 is allowable, as set forth above. Claims 11 and 12 should be reinstated and examined on their merits based on the failure of the Office to comply with the express provisions of MPEP § 806.04(f).

New Claim 22

Applicants have added claim 22 to replace canceled claim 2. Because claim 22 depends from claim 1, claim 22 is allowable at least for the reasons that claim 1 is allowable, as discussed above.

Cited but Not-Applied Art of Record

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of- the-art, no further comments are deemed necessary with respect thereto.

Conclusion

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

Applicants also respectfully submit that should the pending claims be found allowable, that all claims be allowed, including the withdrawn claims, because the withdrawn claims (other than claims 11 and 12) have been found to be allowable.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Robert J. Webster, Registration No. 46,472 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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